

Illinois  
Campaign  
Financing  
Act

***A Guide for FUNDRAISERS***



STATE BOARD OF ELECTIONS  
CAMPAIGN DISCLOSURE DIVISION

State law does not place limits on contribution amounts, but does require candidates, political committees and, in some cases, individuals to keep full and accurate records of financial transactions and to file periodic disclosure reports. Since fundraising record keeping is so closely governed by state law, there are some simple rules you should keep in mind.

This brochure is not a complete or fully detailed digest, but an overview intended to help in understanding basic responsibilities under the law. Some of the language in this brochure is presented in simplified form, and should not be considered an exact translation of applicable law or legislation.

For more complete and authoritative guidance concerning all areas of fundraising, refer to actual statutory language and to the State Board of Elections Rules and Regulations. Consultation with professional legal counsel is also encouraged. Additionally, assistance from the State Board of Elections or other governmental authorities, where jurisdiction exists, is encouraged.

## **WHAT IS A CONTRIBUTION?**

1. Money or anything of value knowingly received in connection with the election or nomination for election of any person to public office, the election of any person as ward or township committeeman in Cook County, or in connection with any question of public policy. "Anything of value" includes all things, services or goods.
2. Anything of value that constitutes an electioneering communication, regardless of whether the communication is made with the knowledge or approval of the recipient candidate or committee. An electioneering communication is essentially any form of advertising or communication that refers to a candidate, party or question of public policy before an election.
3. The purchase of tickets for election-related fundraising events.
4. A transfer of funds between political committees.
5. The services of an employee donated by an employer, unless the services are provided voluntarily and without promise or expectation of compensation from any source.
6. Gifts of goods or services provided without expectation of repayment, such as a hall rental, food or entertainment.
7. Expenditures made "out-of-pocket" on behalf of one's own candidacy.

## **WHAT IS NOT A CONTRIBUTION?**

1. Services provided on a voluntary basis.
2. The use of an individual's property and the cost of invitations, food and beverages provided by that individual for candidate related activities – provided the value of the service does not exceed a total of \$150 in a reporting period.
3. The sale of food or beverage by a vendor for use in a candidate's campaign at a less than normal charge (as long as that charge is at least equal to the cost of the food or beverage to the vendor).

## **ARE ANONYMOUS CONTRIBUTIONS PERMITTED?**

Anonymous contributions or contributions made by one person in the name of another person are not allowed. It is also prohibited for a person to knowingly accept an anonymous contribution or a contribution made by one person in the name of another person. Any political committee that receives such a contribution must forward it immediately to the State Treasurer.

## **WHAT PROHIBITIONS EXIST?**

A political committee is not allowed to accept contributions or make expenditures at any time when there is a vacancy in the office of chairman or treasurer of that committee. Expenditures cannot be made for or on behalf of a political committee without the authorization of its chairman, treasurer, or their designated agents.

Contributions may not be made or accepted on State property unless the property has been leased or rented by a private person or entity.

No constitutional officer or candidate, member of the General Assembly or candidate, or political caucus of the General Assembly may hold a fundraising function in Sangamon County on any day the legislature is in session (during the period from February 1 through the later of the adjournment dates of either house of the spring session, and during the entire fall veto session). Between June 1 and the first day of the fall veto session each year, this provision does not apply to General Assembly members or candidates whose districts lie entirely within Sangamon County.

It is illegal to promise any government benefit, employment or appointment in exchange for a contribution. It is also illegal to coerce anyone into making contributions by physical force, threatened loss of employment or any other means. Certain

State and local government employees are also prohibited from knowingly soliciting or receiving contributions from a person engaged in a business or activity over which the employee has regulatory authority.

Be aware that prohibitions other than those found in the Illinois Campaign Financing Act exist. For example, national banks and nationally chartered corporations are prohibited from making political contributions. Also, no public funds may be used for political or campaign purposes. Some local jurisdictions may also have ethics ordinances or other rules that may apply.

## **SOLICITING FUNDS – REQUIREMENTS**

Please be aware that any committee that makes an expenditure for a communication directed at voters and mentioning the name of a candidate in the next upcoming election must be clearly identified within that communication as having paid for it.

Additionally, any political committee must include specific language on all literature and advertisements that solicit funds. For a State Political Committee the notice reads:

“A copy of our report filed with the State Board of Elections is (or will be) available for purchase from the State Board of Elections, Springfield, Illinois.”

For a Local Political Committee the notice reads:

“A copy of our report filed with the County Clerk is (or will be) available for purchase from the County Clerk (address), Illinois.”

For a State and Local Political Committee the notice reads:

“A copy of our report filed with the State Board of Elections and the County Clerk is (or will be) available for purchase from the State Board of Elections, Springfield, Illinois, and from the County Clerk (address), Illinois.”

Any political committee that solicits or receives contributions or makes expenditures on behalf of a candidate, but is not authorized in writing to do so, must include a disclaimer on all literature and advertising it produces or causes to be produced for that candidate's campaign. This disclaimer must state that the committee is not authorized by the candidate and that the candidate is not responsible for the activities of the committee.

The Internal Revenue Service requires political committees and organizations whose gross annual receipts normally exceed \$100,000 to include a clear and easily recognizable statement on fund solicitations indicating that contributions to the organization are not deductible as charitable contributions for federal income tax purposes.

## **WHAT RECORDS MUST BE KEPT?**

State law requires candidates and committees to report:

1. In summary form, the totals of all receipts and expenditures;
2. By item, all transfers of funds to and from other political committees aggregating over \$150 during a reporting period;
3. By item, all contributions, other sources of income and all expenditures aggregating over \$150 during a reporting period;
4. Employer and occupation of any individual who contributes, lends, or endorses amounts of more than \$500 within a reporting period, including contributors of in-kind contributions.

In addition, candidates and committees must keep in-house records of all individual contributions over \$20. Every person who receives a contribution in excess of \$20 must provide the amount, name and address of the contributor and the date it was received. This information must be provided to the treasurer of the committee within five days of the receipt of the contribution, or on demand of the treasurer.

## **SOME RECORD KEEPING GUIDELINES**

To assist the campaign or committee treasurer in keeping accurate records, it is important to obtain required information at the time when contributions are received. When soliciting or receiving funds, always obtain the full name, residence address and ZIP code, employer and occupation information (if applicable), and the date of the contribution. Be sure to forward all money and information about the contribution to the treasurer of your political committee immediately upon receipt, or at least within five days.

For reporting purposes, the date the candidate, chairman or treasurer of the committee actually has the contribution in hand is the date it is reported as received. Do not use the date a check was written, unless it was contributed the same day.

Any contributor of an in-kind contribution valued in excess of \$50 must notify the recipient committee or candidate within five business days of making the contribution, on a form supplied by the State Board of Elections. An in-kind contribution is considered to have been received no later than 2 days after the date the certificate is received (or, if no notice is received, 2 days after the date the committee knows or should reasonably have known of the in-kind contribution).

Contributions in an aggregate of more than \$500 from a single source received during the 30 day period before any election except a general primary election must be reported by the recipient committee on a Schedule A-1 form within 2 business days of receipt. For a general primary election, contributions in an aggregate of more than \$500 from a single source received from January 1<sup>st</sup> up through and including the day before the election must be reported on a Schedule A-1 within 2 business days of receipt. This form may be faxed or filed electronically. If faxed or filed electronically, do not send an original.

All funds of a political committee must be segregated from, and may not be commingled with, any personal funds of officers, members or associates of the committee.

## **ARE RAFFLES PERMITTED?**

Raffles are a legal means of fundraising for political committees, with some restrictions. A license is required and may be obtained free of charge by applying to the State Board of Elections. The license application must include certain specific information such as when and where chances will be sold, and when and where the drawing will be held. A single license may be valid for a specified number of raffles for a period of up to one year. A political committee cannot be granted a raffle license if it has any outstanding fines or outstanding overdue reports. Additionally, for each raffle held by a committee, a separate Raffle Report must be filed to document the gross receipts, expenses and net proceeds from the raffle.

## **WHAT ABOUT FEDERAL LAWS?**

If you are raising funds to be spent in any federal campaign, you should contact the Federal Election Commission for a copy of their rules and regulations.

Federal Election Commission  
999 E Street, N.W.  
Washington, DC 20463  
(800) 424-9530  
[www.fec.gov](http://www.fec.gov)

For more information, complete guidelines, and rules and regulations as set forth by the State Board of Elections, write, call, FAX or e-mail the:

Illinois State Board of Elections  
1020 South Spring Street  
Springfield, IL 62704  
(217) 782-4141  
(800) 527-VOTE (8683)  
(217) 782-5959 (FAX)  
(217) 782-1518 (TDD)  
[webmaster@elections.il.gov](mailto:webmaster@elections.il.gov)

Illinois State Board of Elections  
James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago, IL 60601  
(312) 814-6440  
(800) 923-VOTE (8683)  
(312) 814-6485 (FAX)  
(312) 814-6431 (TDD)

Information including the law, rules and regulations, forms, calendar, and a glossary of terms may be obtained by accessing the State Board of Elections website at [www.elections.il.gov](http://www.elections.il.gov).